



MS MISSING PARTS

PATENT

0505-1245P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: TSURUTA, Yuuichirou Conf.: Unknown  
Appl. No.: 10/661,493 Group: Unknown  
Filed: September 15, 2003 Examiner: Unknown  
For: HEAT SHIELD FOR INTERNAL COMBUSTION  
ENGINE EXHAUST SYSTEM

**THIS IS NOT A NEW PATENT APPLICATION**

LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

**MS MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 5, 2003

Sir:

The application papers for the above-identified application were originally filed on September 15, 2003 and the application was assigned Appl. No. 10/661,493.

**DOCUMENTATION**

Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) ( original  photocopy), necessary for completing the filing requirements in connection with the above-identified application.

- Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on \_\_\_, including any amendments thereto (if applicable) filed on even date therewith.
- The undersigned hereby declares that "Attorney Docket No. 0505-1245P on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/661,493, filed September 15, 2003, entitled "HEAT SHIELD FOR INTERNAL COMBUSTION ENGINE EXHAUST SYSTEM."
- Attached is a copy of the Notice to File Missing Parts of Nonprovisional Application.
- Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
  - See the attached Translator's Verification; or
  - The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- Attached are \_\_\_\_\_ (\_\_\_\_) sheet(s) of formal drawings. Please substitute these corrected drawings for the corresponding \_\_\_\_\_ (\_\_\_\_) sheets of drawings on file in the above-identified application.
- Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

- Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- Applicant claims small entity status under 37 C.F.R. § 1.27.
- Submitted concurrently herewith **under separate cover** for recording is an Assignment.

### **FEES**

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- Basic Filing Fee(s): \$0.00 (37 C.F.R. § 1.16(a)-(d))
- The Government Filing Surcharge under 35 U.S.C. § 1.16(e) for late filing of filing fee, oath and/or declaration:
  - Large Entity - \$130.00
  - Small Entity - \$ 65.00
- The Government Filing Surcharge under 37 C.F.R. § 1.17(i) for filing of translation of non-English Specification in the amount of \$130.00:
  - was previously paid for concurrently with the filing of the application on .
  - is attached hereto.
- No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of Nonprovisional Application. However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

Applicant hereby respectfully petitions for a ( ) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

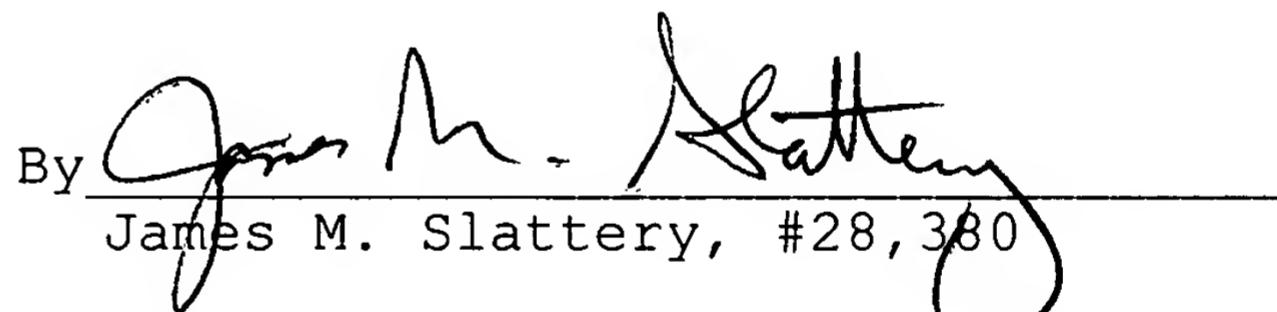
Check(s) in the amount of \$130.00 to cover the basic filing fee(s), surcharge fee(s), and any extension of time fee(s) (if applicable) is/are enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380

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JMS/CTT/jeb  
0505-1245P

Attachment(s)

(Rev. 09/30/03)



H102 2490 US01 (AM12)

Atty. Docket: 0505-1245P

PTO/SB/106 (5-00)

Approved for use through 10/31/02. OMB 0651-0037  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する

As a below named inventor, I hereby declare that

私の住所、郵便の宛先そして国籍は、私の氏名の横に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名前の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HEAT SHIELD FOR INTERNAL COMBUSTION

ENGINE EXHAUST SYSTEM

上記発明の明細書はここに添付されているが、  
添付されていない場合は、

the specification of which is attached hereto. If not attached hereto,

この出願の米国出願番号またはPCT国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable)

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above

私は、並邦規則法第37編規則1.156に定義されている、特許性について必要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

### Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一箇を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(e)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed

Prior Foreign Application(s)  
外國での先行出願

Priority Not Claimed  
優先権主張なし

2002-287988  
(Number)  
(番号)

Japan  
(Country)  
(国名)

(Number)  
(番号)

(Country)  
(国名)

30 September 2002

(Day/Month/Year Filed)  
(出願日／月／年)

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主張が、米国法典第35編第112条第1段に規定された範囲で、先行する米国出願又はPCT国際出願に開示されていない場合には、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定められた特許性に係わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係在中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係在中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘置、若しくはその両方ににより懲罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理屈した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Japanese Language Declaration**  
(日本語宣言書)

委託人 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての取扱を遂行するために、記名された発明者として、下記の弁護士及び／または弁理士を任命する。

**POWER OF ATTORNEY** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**Practitioners at CUSTOMER NO. 2292.**

## 送信先

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292  
P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

第一または第一発明者氏名	Full name of sole or first inventor		
発明者の署名	日付	Inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post Office Address		
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any		
第二共同発明者の署名	日付	Second inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post Office Address		

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)